

ABSTRACT

REVENUE (VIGILANCE-III) DEPARTMENT

Dated:11.07.2008.

ORDER:

6. Attention of Sri V. Suryanarayana is invited to rule-24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964, under which no Government servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt with in these proceedings it will be presumed that Sri V. Suryanarayana is aware of such representation and that it has been made at his instance and action will be taken against him for violation of rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

M. SAMUEL
PRINCIPAL SECRETARY TO GOVERNMENT

//FORWARDED BY ORDER//

SECTION OFFICER

ANNEXURE-I

STATEMENT OF ARTICLES OF CHARGES FRAMED AGAINST SRI V. SURYANARAYANA, REVENUE DIVISIONAL OFFICER, TENALI, GUNTUR DISTRICT.

--:O:--

Article of Charge

That Sri V. Suryanarayana, Revenue Divisional Officer, Tenali as Land Reforms Tribunal, re-entertained the claim of the legal heirs of the deceased declarant and passed revised orders on 29.7.2005 in C.C.No.1467/Bap/75, excluding an extent of Ac.2.83 as against Ac.5.21, which is over and above the ceiling limits and such exclusion is found against the decision of the LRAT, Eluru. Thus, he failed to protect the interests of the Govt. and gave scope for litigation causing loss of money and time through such unwarranted litigation.

Statement of Imputations:

Sri Yarasani Nagabhushanam, s/o Ramaiah of Ponnur has filed a declaration u/s 8(1) of APLR (COACH) Act, 1973. According to the orders passed by the LRT, Tenali in C.C.No.1467/Bap/75, dt:30.03.79, the declarant has lands equivalent to 0.7117 SH in excess of ceiling area. Aggrieved by that the declarant filed an appeal before the LRAT, Guntur urging the following grounds.

- i. To accept the contract of sale of Ex.A.5, Ab and A9 and exclude the land covered by these sales.
- ii. To exclude Ac.0.08 in S.No.255-2 of Ponnur which is used for non-agricultural purpose.
- iii. To exclude Ac.6.22 in S.No.256-1 & 2, 249, 251-1 & 2, 252-1 stating that these lands were endowed in 1970 by the declarant father for maintenance of Laxmidevamma Choultry at Ponnur.

The LRAT, Guntur has dismissed the appeal. Against these orders the declarant has filed a RP before High Court of A.P., Hyderabad and got stay orders in CMP No.2126 of 1984 in CRP No.422/84, dt:10.02.1984. The High Court passed final orders on 25.02.1987 rejecting the first point and regarding the second contention is concerned as certain land is said to have been endowed in favour of choultry, the High Court remanded the case to the appellate Tribunal to adjudicate on this aspect. On remand, the Appellate Tribunal conducted enquiry and passed order in LRA 12/1981, DT:06.11.1989 with direction to the Lower Tribunal to exclude an extent of 5.21 from the holding of the declarant which are endowed to Lakshmiddevamma Choultry and the order of the lower authority was confirmed in all other aspects. On receipt of the said order, the LRT-cum-Sub Collector, Tenali passed orders re-computing the holding of the declarant in C.C.No.1467/Bap/75, dt:14.5.2002 excluding Ac.5.21 from the holding of the declarant. Objections were raised by the legal heirs of the deceased declarant on 4.6.2002 stating that his father i.e., the declarant died on 10.3.1998 and passing of an order u/s 10(1) of the Act on a dead person is invalid. Again the LRT-cum-Sub Collector, Tenali passed orders on 29.7.2005 excluding Ac.2.83 from the holding of the declarant. As per the Appellate Tribunal only Ac.5.21 alone should have been excluded and due to objection of servicing on deceased, the LRT-cum-Sub Collector, Tenali excluded Ac.2.83 in S.Nos.262-8, 263-1&2, 264-1 without any reason for re-verification and to reduce the excess land over and above the prescribed ceiling limits. Even if such exclusions are claimed before the LRT, in the interest of Govt. and owing to long drawn litigation which has been settled at the Appellate Tribunal on remanding by the Hon'ble High Court should have been upheld by the LRT-cum-Sub Collector's court. Sri V. Suryanarayana, Revenue Divisional Officer, Tenali thus failed to protect the interest of the Government and also allowing scope for filing an appeal at LRAT, Eluru due to his irregular and non-application of mind while passing orders excluding Ac.2.83 on 29.7.2005, when the issue has been cleared at Appellate Tribunal level through its order dt:6.11.1989 and causing loss of money and valuable time through such unwarranted litigation to Government exchequer, thereby he violated Rule 3 of the APCS (Conduct) Rules, 1964.

M. SAMUEL
PRINCIPAL SECRETARY TO GOVERNMENT

//TRUE COPY//

SECTION OFFICER

ANNEXURE-II

LIST OF DOCUMENTS BY WHICH THE ARTICLES OF CHARGE FRAMED AGAINST SRI V. SURYANARAYANA, REVENUE DIVISIONAL OFFICER, TENALI, GUNTUR DISTRICT ARE PROPOSED TO BE SUSTAINED.

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1. Copy of orders of Appellate Tribunal in LRA 12/1981, dt:06.11.1989.
2. Copy of the orders passed by Land Reforms Tribunal-cum-Sub Collector, Tenali, dt:29.7.2005.

M. SAMUEL
PRINCIPAL SECRETARY TO GOVERNMENT

//TRUE COPY//

SECTION OFFICER

ANNEXURE-III

LIST OF WITNESS BY WHICH THE ARTICLES OF CHARGE FRAMED AGAINST SRI V. SURYANARAYANA, REVENUE DIVISIONAL OFFICER, TENALI, GUNTUR DISTRICT ARE PROPOSED TO BE SUSTAINED.

--NIL--

M. SAMUEL
PRINCIPAL SECRETARY TO GOVERNMENT

//TRUE COPY//

SECTION OFFICER